

SCHERING-PLOUGH CORPORATION  
LAW DEPARTMENT  
2000 GALLOPING HILL ROAD  
K-6-1, MAIL STOP 1990  
KENILWORTH, NEW JERSEY 07033  
(908) 298-4000

RECEIVED  
CENTRAL FAX CENTER

SEP 30 2004

FACSIMILE TRANSMITTAL SHEET

TO:	FAX NUMBER:
USPTO Attention:	(703) 872-9306
FROM:	PHONE NUMBER:
Ann Marie Cannoni	(908) 298-5024
TOTAL NO. OF PAGES INCLUDING COVER	DATE
11	September 30, 2004


**CONFIDENTIALITY NOTE:** This sheet and/or the document(s) accompanying it contain information belonging to Schering-Plough Corporation and/or its affiliates which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named above. If you have received this fax in error, please immediately notify us by telephone. If there is a problem with this transmission please call Shawn Armstrong at (908) 298-5255.

NOTES/COMMENTS:

**PLEASE HAND DELIVER**

In re Application of: **Duane A. Burnett *et al.***  
For Patent For: **Substituted Azetidinone Compounds, Processes for Preparing  
The Same, Formulations and Uses Thereof**  
Group Art Unit: 1614  
Attorney Docket No.: CV06038US01/ Serial No.: 10/792,346  
Filed: 03/03/2004

- Fax Cover Sheet – 1 Page
- Certificate of Transmission PTO/SB/97 – 1 Page
- Supplemental IDS – 2 Pages
- PTO-1449 form – 1 Page in duplicate
- 1 Reference – 5 Pages

  
Ann Marie Cannoni  
Registered Representative  
Registration No. 35,972

Attorney Docket No.: CV06038US01

Application No.: 10/792,346

Filing Date: 03/03/2004

First Named Inventor: Duane A. Burnett

PTO/SB/97 (08-03)


Approved for use through 07/31/2008. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-872-9306 )

on September 30, 2004  
Date

  
SignatureAnn Marie Cannoni, Reg. No. 35,972

Typed or printed name of person signing Certificate

**Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.**

Document(s) being transmitted:

Fax Cover Sheet - 1 Page

Certificate of Transmission PTO/SB/97 - 1 Page

Supplemental IDS - 2 Pages

PTO-1449 FORM - 1 Page in duplicate

1 Reference - 5 Pages

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicant(s): **Duane A. Burnett et al.**Application No.: **10/792,346**Filed: **03/03/2004**For: **Substituted Azetidinone Compounds,  
Processes for Preparing the Same,  
Formulations and Uses Thereof**Group Art Unit: **1614**Examiner: **To Be Assigned**Case No.: **CV06038US01**Date: **September 30, 2004****RECEIVED  
CENTRAL FAX CENTER****SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT****SEP 30 2004**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

(a) Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, it is requested that the documents listed on the accompanying Form PTO-1449 be considered and made of record in the above-identified patent application. Copy(ies) of these documents ☒ are enclosed ☐ were filed in related U.S. Application No(s) \_\_\_\_\_, filed \_\_\_\_\_, respectively.

(b) No fee is believed to be due because:

- ☐ This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; or
- ☐ This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application; or
- ☐ This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE); or
- ☒ This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c) ☐ This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution; and:

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in

Application No. 10/792,346  
September 30, 2004  
Page 2 of 2

§ 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; or

☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

(d) ☐ This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and:

☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; and


☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365.

Respectfully submitted,

Dated: September 30, 2004  
**Schering-Plough Corporation**  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530  
Facsimile No.: (908) 298-5388

By:

  
Name: Ann Marie Cannoni  
Reg. No.: 35,972  
Attorney of Record  
Telephone No.: (908) 298-5024

Sheet 1 of 1

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: <b>CV0638US01</b>	APPLICATION NO.: <b>10/792,346</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICANT: <b>Duane A. Burnett et al.</b>	
<i>(Use several sheets if necessary)</i>				FILING DATE: <b>03/03/2004</b>	GROUP: <b>1614</b>
<b>U.S. PATENT DOCUMENTS</b>					
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	FILING DATE IF APPROPRIATE
	AA				
	AB				
	AC				
	AD				
	AE				
	AF				
	AG				
	AH				
	AI				
	AJ				
	AK				
<b>FOREIGN PATENT DOCUMENTS</b>					
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
AL					
AM					
AN					
AO					
AP					
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>					
AQ	Copy of International Search Report for International Application No. PCT/US2004/006428 (08/04/2004) – 5 Pages				
AR					
AS					
AT					
AU					
AV					
EXAMINER			DATE CONSIDERED		
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>					